

"Express Mail" mailing label number EV 655 030 330 USDate of Deposit: 1-6-2006**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Kazumi Okuro et al.

International

Serial No. PCT/JP2004/009883

U.S. Serial No.: Applied for

Intl. Filing Date: July 5, 2004

U.S. Filing Date: Herewith

Title: OPTICALLY ACTIVE  
HALOHYDRIN DERIVATIVE  
AND PROCESS FOR  
PRODUCING OPTICALLY  
ACTIVE EPOXY ALCOHOL  
DERIVATIVE FROM THE SAME

Attorney Docket No: 5404/133

Examiner: Not Assigned

Art Unit: Not Assigned

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

**U.S. PATENT DOCUMENTS**

DOCUMENT NUMBER Number-Kind Code (if known)	DATE	NAME
4,584,307	04/22/1986	Richardson et al.

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY
EP 0 332 387 A1	09/13/1989	Sankyo Company Limited
EP 0 415 748 A1	03/06/1991	Schering Corporation
JP 2003-327578	11/19/2003	Mitsui Chemicals Inc.

DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY
JP 10-212287	08/11/1998	Sankyo Co. Ltd.

**OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)**

Konosu T., et al., "Concise Synthesis of Optically Active Oxirane Precursors for the Preparation of Triazole Antifungals Using the Friedel-Crafts Reaction of (S)-2-Tosyloxypionyl Chloride," *Tetrahedron Letters*, Vol. 32, No. 51, December 16, 1991, pp. 7545-7548.

International Search Report, from Corresponding International Application No. PCT/JP2004/009883, dated September 21, 2004, 3 pages.

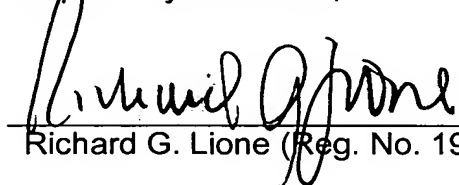
Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2).

Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

  
Richard G. Lione (Reg. No. 19,795)

Jan. 6, 2006  
Date

IAP15 Rec'd PCT/PTO 06 JAN 2006

FORM PTO-1449	INTERNATIONAL APPLICATION NO. PCT/JP2004/009883	CASE NO. 5404/133
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b> (use several sheets if necessary)	INTERNATIONAL FILING DATE July 5, 2004	GROUP ART UNIT Not Assigned
	FIRST NAMED INVENTOR: Kazumi Okuro et al.	
	EXAMINER NAME: Not Assigned	

## U.S. PATENT DOCUMENTS

EXAMINER INITIALS	Cite No.	DOCUMENT NUMBER Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class/Subclass	Filing Date
	A1	4,584,307	04/22/1986	Richardson et al.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	Cite No.	Foreign Patent Document Country Code, Number -Number- Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class/ Subclass	T
	A2	EP 0 332 387 A1	09/13/1989	Sankyo Company Limited		
	A3	EP 0 415 748 A1	03/06/1991	Schering Corporation		
	A4	JP 2003-327578	11/19/2003	Mitsui Chemicals Inc.		
	A5	JP 10-212287	08/11/1998	Sankyo Co. Ltd.		

EXAMINER INITIAL	NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.					T
	A6	Konosu T., et al., "Concise Synthesis of Optically Active Oxirane Precursors for the Preparation of Triazole Antifungals Using the Friedel-Crafts Reaction of (S)-2-Tosyloxypropionyl Chloride," <i>Tetrahedron Letters</i> , Vol. 32, No. 51, December 16, 1991, pp. 7545-7548.				
	A7	International Search Report, from Corresponding International Application No. PCT/JP2004/009883, dated September 21, 2004, 3 pages.				

NOTE: For "T" - please place an "X" if an English translation is being provided to the Patent Office.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.